

## Chapter 6 – Advertising and Signs

### ARTICLE 1 GENERAL PROVISIONS

#### Section 6-01. Purpose Of Chapter

The purpose of this chapter is to provide uniform sign regulations for the City of Mineral Wells, and its provisions shall be held to be the minimum requirements in the installation, erection, location, alteration, replacing, improving and maintenance of all signs. It is further intended to encourage signs which are well designed; which preserve locally recognized values of community appearance; which protect public investment in and the character of public thoroughfares; which aid in the attraction of shoppers and other visitors who are important to the economy of the city; which reduce hazards to motorists and pedestrians traveling on the public roadways; and thereby to promote the public health, safety and welfare.

#### Section 6-02. Definitions

Abandoned sign: Any sign which pertains to a time, event or purpose which no longer applies; any sign which was erected for or by the owner, occupant or business on a property and is now unrelated to the present use of this property; any sign, except a real estate sign, which is located on property for which the use becomes abandoned for a period of six months or more.

Administrative Official: The officer or other person authorized by the City of Mineral Wells charged with the administration and enforcement of the sign ordinance.

Advertising Matter: The placement on, anchoring of or suspension from any building, pole sign, sidewalk, parkway, driveway, lawn area, or parking area of any goods, wares, merchandise or other advertising object

Awning: An architectural projection, which provides weather protection, identity or decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached, which may be of fabric or other materials, may be illuminated. Sign text and logos on awnings are calculated as signage (not the entire awning area).

Bandit Signs: Also known as a Snipe sign, is any sign illegally posted in the public right-of-way on a utility pole, street sign or other street furniture or by a wooden or metal stake in the ground.

Banner Sign: A temporary sign generally hung by ties or attached at the corners without a frame structure containing it or supporting it. Said sign consists of characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind. A banner affixed or attached to a permanent sign face shall be regulated in accordance to the sign type to which it is attached (i.e. Wall sign, Pole sign, Monument sign, Billboard, etc.)

Bench Sign: A sign located on the seat or back of a bench or seat generally placed on or adjacent to a public right-of-way—a type of street furniture.

Billboard: A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured

or sold on the premises on which the sign is located. These signs are generally located off premise.

**Builder's Directional Sign:** A sign providing direction or instruction to guide persons to sites where new homes are under construction, usually off-premise.

**Canopy:** A canopy is a roof like structure that shelters a drive lane use such as, but not restricted to, a gasoline pump island. A canopy is open on two or more sides and may be supported by either columns or by being attached to the building to which it is accessory.

**Changeable Copy Sign:** A sign that is utilized year round, but the copy is changed periodically. This does not include a portable sign that may have changeable copy but is not permanently placed or located at a specific site. However, it does include the following signs:

**Message Board Sign:** Any sign or portion of a sign that uses changing lights to form a non-pictorial message in text format wherein the sequence of messages and rate of change is electronically programmed and can be modified by electronic process.



**Electronic Graphic Display Sign:** A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display and where the image sequence is accomplished immediately or by means of fade, repixelization, or dissolve modes.



**Video Display Sign:** A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to indicate movement.



**Mobile Electronic Graphic Display or Video Sign:** An electronic copy sign that is attached to a vehicle which serves as the permanent but mobile platform or foundation for the sign.



**Clearance:** The vertical distance from the bottom of a sign face to the ground.

**Commercial Event Sign:** A temporary sign describing or calling attention to a commercial event such as a grand opening, store closing, spring or fall sale, or other event for which special attention is directed. A commercial event sign may include a variety of sign types including inflatables, banners, and portable signs.

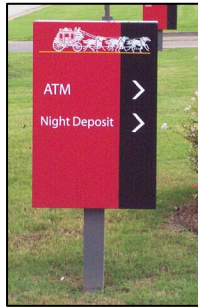
**Contractor/Construction Sign:** A temporary sign identifying individuals or companies involved in the design, construction, wrecking, or improvement of the premises where work is under construction. Includes signs providing information pertaining to residential or commercial development to include the builder, property owner, architect, contractor, engineer, or mortgagee and project name

**Dilapidated or Deteriorated Condition:** The condition of a sign where:

1. any portion of the finished material, surface or message of the sign is visibly faded, flaked, broken off, missing, cracked, splintered, defective, or is otherwise visibly deteriorated or in a state of disrepair, as determined by the administrative official, so as not to substantially appear as it was intended or designed to appear when originally constructed; or
2. whose structural support or frame members are visibly bent, broken, dented, torn, twisted, leaning, or at angles other than those at which it was originally erected; or

3. the sign and/or its elements are not in compliance with the requirements of the City's building, electrical code, and/or other applicable adopted City codes; or
4. the sign and/or its elements are determined to be dangerous and a hazard to the general safety and welfare of the public or may be determined to be a nuisance as defined by City codes

**Directional sign.** An on-premise sign which directs vehicles and pedestrian traffic through parking lots and campus settings. They may display arrows, words, or other symbols to indicate directions to and through the site. These signs may contain a logo, but no other commercial message or advertisement of any kind is provided on the sign



**Directory sign:** A sign which indicates the name and/or address of the tenants or occupants, the address of the premises, and/or identification of any business or occupation which may exist on the premises.

**Erect:** To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of the signs on the exterior surface of a building or structure.

**Flags, Patriotic:** A piece of cloth or fabric usually rectangular in shape, identifying and representing a nation, state, county, city, armed forces branch and/or other governmental or patriotic organization.

**Flag, Decorative:** A piece of cloth or fabric usually rectangular in shape, of distinctive color and design, not associated with any patriotic entity or association but used to attract attention. Decorative flags are not considered a sign for the purpose of this ordinance.

**Flashing Sign:** An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purpose of the ordinance, any moving illuminated sign affected by intermittent lighting shall be deemed (to be) a flashing sign.

**Framework:** A support structure which meets all existing wind and load requirements as stated in City of Mineral Wells Ordinance, designed to secure a sign.

**Gasoline Pricing Sign:** An outdoor advertising display with changeable copy letters and numerals that displays the current price of fuel or gasoline for sale.

**Hawkers:** A person holding a sign or in costume to advertise a business or encouraging stopping or buying products at a location.

**Height Measurement:** The height of any sign shall be measured vertically at 90 degrees from the ground at the base of the sign.

**Illegal Signs:** Advertising matter that constitutes a violation of the Mineral Wells Sign Ordinance.

**Illuminated Sign:** A sign which has characters, letters, figures, or designs illuminated by electric lights, luminous/neon tubes or other means that are specifically placed to draw attention to, or provide nighttime viewing of, the subject matter on the sign face.

**Incidental Sign:** Small sign, less than two (2) square feet in surface area, of a non-commercial nature, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephones and so forth. Also included in this group of signs are those designated to guide or direct pedestrians or vehicular traffic to an area or place on the premises of a business building by means of a directory designating names and addresses only.

**Inflatable Objects (Balloons):** A non-porous flexible inflated device, utilizing inert gas, used as advertising matter.

**Logo:** A “logo” is any design or insignia of an organization, individual, company, or product which is commonly used in advertising to identify that organization, individual, company or product.

**Menu Board:** A sign displaying the menu for a drive up window for an establishment such as a food establishment or car wash.

**Monument Sign:** A permanent ground sign generally constructed out of brick or stone, with a cast concrete foundation across the entire base of the structure not to exceed seven (7) feet in height, measured from the finished grade to the top of the sign.

**Nameplate Sign:** A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, their professional status.

**Nonconforming Sign:** Any sign lawfully constructed which fails to conform to the provisions of this article.

**Off-Premise Sign:** The term “off-premise sign” means a sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

**On-Premise Sign:** The term “on-premise sign” means a sign identifying or advertising a business, person, organization, activity, and installed and maintained on the same premises as the business, person, or activity.

**Pennant:** A wind device usually made of a lightweight plastic, fabric or other material whether or not containing a message of any kind, usually triangular in shape and attached to a single cord. Pennants are not considered a sign for the purpose of this ordinance.

**Pole Sign:** A freestanding sign supported by a pole, pylon, or poles/pylons having no guys or braces to the ground or to any other structure. It is sometimes referred to as a pylon sign.

**Political and/or Ideological Sign:** A sign that contains a political and/or ideological message, which may also pertain to any national, state, county or local election

**Portable (or moveable) Sign:** Those signs that are not firmly attached to the ground, a building, or other structure, and those that can be easily moved or carried about and reused numerous times at different locations.



**Projecting Sign:** A sign that projects from a building or wall, to which it is affixed, by more than twelve (12) inches.

**Real Estate Sign:** A temporary sign not exceeding six (6) square feet, pertaining to the sale, lease or rental of real property.

**Roof Sign:** A sign erected upon or above a roof or parapet of a building or structure.

**Sandwich Board or Sidewalk Sign:** - An advertising or business ground sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top, each angular face held at an appropriate distance by a supporting member. Used as a temporary movable sign to be placed along a sidewalk or in pedestrian travel areas..

**Setback:** The distance from the property line or right-of-way line of all streets adjacent to the premises on which the sign is located.

**Sign:** Every sign, name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, light or insignia, affixed directly or indirectly to or upon any building, window, door or outdoor structure, calling attention to any object, product, service, place, or activity.

**Sign Area:** Calculation means the area of the sign to be computed by drawing a line or lines around the sign in such a way as to form a rectangle oriented horizontally. The sum square footage of these figures shall be considered as the total area of the sign face. A sign face may be single sided or double sided, as with a typical pole sign.

**Sign Box:** The rectangle used to calculate the sign area.

**Sign Face:** That portion of the sign which contains the message of the sign, including a frame attached to a structure, solid back of a pole sign, and/or other supports used to display the sign.

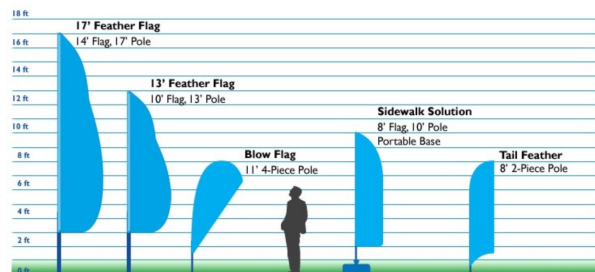
**Swooper Flag:** A banner type sign that is attached to a aluminum or fiberglass rod which is inserted directly into the ground or into a sleeve embedded in the ground or portable base. The flag portion of the sign is attached on one side, permitting the unattached side to move freely in the wind.

**Temporary Sign:** Any sign intended to be displayed for a limited period of time only.

**Vehicular Sign:** Any sign attached to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself (Includes a Mobile Electronic Graphic Display or Video Sign but does not include a portable sign as defined by this ordinance).

**Vertical Banner:** Any sign of a lightweight fabric or similar material that is mounted to a pole in a vertical fashion secured at top and bottom of banner.

**Wall Area:** The area of the wall from the finished floor elevation (or top of foundation) to the top of the parapet wall or to the bottom of the eave,



Types of Swooper Flags

which ever is highest. This wall area is as shown on the architectural elevation of the wall including glass area and recessed wall areas.

**Wall Area, Multistory Building:** The sign wall area calculation for multistory buildings shall be based upon the height of the first story (including any mezzanine level).

**Wall Sign:** A sign which is attached or affixed to the wall of a building or is an integral part of the wall of a building with the exposed face of the sign in a plane parallel to and not extending more than twelve (12) inches from said wall. A wall sign shall not extend above, the wall/parapet to which the sign is attached. For the purpose of this section, awnings, canopy fascias, mansards extending along a building side shall be considered a part of the wall. The roof (including mansard and fake mansard roofs) and roof area are not included in the wall area.

**Wall Sign, Primary:** A sign attached to the wall of a building which is determined to be the primary signage wall, subject to its incorporating either the major entrance or the common street address. The primary wall sign generally faces a public street or is attached to the wall designated as being the front of the building by the manner of construction and its use.

**Wall Sign, Secondary:** A sign attached to the wall of a building which is determined to be of secondary importance to the business or establishment occupying the premises, and shall include any wall not designated as a primary wall; and shall not limit the number of secondary signs placed on the building.

**Window Sign:** A sign attached to, placed upon or painted on the window or door of a building which is intended for public viewing from the exterior of such building and advertises or promotes the activity contained upon that site.

**Zoning Board of Adjustment:** A Board composed of members appointed by the City Council to hear and rule upon variances requested of the Sign Ordinance.

### **Section 6-03. Administration & Enforcement**

(a) **Administrative Official:** The provisions of this article shall be administered and enforced by the Administrative Official and such representatives as he/she may designate. All other officers and employees of the city shall assist and cooperate with the Administrative Official in administering and enforcing the provisions of this article.

(b) **Permits required:** No sign shall be erected, re-erected, constructed, attached, altered, painted on, or maintained, except as provided by this article and after a permit for the same has been issued by the Administrative Official. A separate permit shall be required for a sign for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electric signs.

(c) **Application for permit:** The application for a sign permit shall be in a form approved by the Administrative Official which shall contain the following information:

1. A designation of the type of sign(s).
2. Name, address and telephone number of the applicant.
3. Name, address and telephone number of the owner of the property on which the sign is to be located.
4. Name, address and telephone number of the lessee the sign is to benefit, if any.

5. Name, address and telephone number of the company, as well as the individual representing the company, erecting the sign.
  6. Scaled site plan showing:
    - a. location of the building, structure or tract to which or upon which the sign is to be attached or erected,
    - b. the position of the sign in relation to nearby structures or other signs, and
    - c. dimensions of setbacks, building lines, distances between sign and streets and property lines.
  7. Scaled drawing of the sign including the height, width, area, design and text.
  8. Engineered drawings as required by the Administrative Official.
  9. Such other information as may be requested by the Administrative Official.
- (d) **Fees:** Sign permit fees shall be paid in accordance with the sign permit fee schedule established by the Mineral Wells City Council
- (e) **Sign Maintenance Required:** All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times.
- (f) **Double permit fee:** The permit fee for a sign permit shall be doubled when the installation or alteration of a sign is commenced or completed before the necessary permit is obtained.
- (g) **Time limit for exercise of sign permit:** In all cases where a sign permit has been approved, the sign permit shall be obtained and the sign(s) erected within a period not to exceed 180 days from the date of approval. In the event such sign or signs are not erected within this period the permit shall become null and void.
- (h) **Only permitted signs to be erected:** No person shall erect, reconstruct, alter, relocate or place any sign within the city except such signs as are permitted by this article. All signs, including the frames, braces or supports thereof, shall be constructed and maintained in compliance with this title, the building and electrical codes, the zoning ordinance and all other applicable ordinances of the city.
- (i) **Inspections:** All signs for which permits are required shall be subject to inspection by the Administrative Official. Footing inspections may be required by the Administrative Official for all signs having footings. All signs containing electrical wiring shall be subject to the provisions of the governing electrical code, and the electrical components used shall bear the label of an approved testing agency. The Administrative Official may order the removal of any sign that is not maintained in accordance with the provisions of this section. All signs may be re-inspected at the discretion of the Administrative Official.
- (j) **Fines for Noncompliance:** Violators of any provision of this section shall be subject to fines set forth in this Code and/or signs may be removed by agents and employees of the city and may be either stored or destroyed without liability to the city or its agents or employees. The owner of a sign confiscated by the city may claim the sign if it is still in the custody of the city upon payment to the city of an administrative fee of \$10.00 per sign. Violators are subject to municipal action for signs confiscated by the City and are subject to a fine.
- (k) **Permit Revocable:** The Administrative Official may suspend or revoke any sign permit whenever it is determined that the permit has been issued in error or on the basis of incorrect or false information supplied, or whenever such permit was issued in violation of any provision



of this ordinance, any other ordinance of the City, the laws of the State of Texas or the federal government. Such revocation shall be effective when communicated in writing to the person to whom the permit is issued or the owner of the sign or the owner of the premises on which the sign is located. Any sign the subject of a revoked permit shall be immediately removed by the person in control of the sign or premises upon which the sign is located within 15 days of written notice of revocation.

1. A person may appeal the revocation of the sign permit to the Zoning Board of Adjustment by filing with the Administrative Official written notice of an intention to appeal within 10 days after receipt of written notice of revocation. The decision of the Zoning Board of Adjustment is final.
  2. Notice of revocation shall be deemed to have been received when deposited in the mail, postage prepaid, addressed to the owner of the premises, the owner of the sign, and the tenant for whose benefit the sign is erected as listed in the permit application.
- (l) **Nonconforming Sign:** A sign which does not conform to the regulations prescribed in this Chapter and which existed lawfully on the date of adoption of this Chapter, or amendment hereto, shall be declared a nonconforming sign and may exist in its present form. A nonconforming sign may be maintained, but shall not be altered, or moved. The right to continue a nonconforming sign shall cease and such shall be removed whenever
1. A sign is altered, moved or relocated without a permit pursuant to the provisions of this chapter. Except a sign face of a nonconforming sign may be replaced, provided no alteration to the sign structure is made.
  2. A sign is destroyed and the cost of repair exceeds sixty (60) percent of the replacement cost on the date of the damage.
- (m) **Sign Removal:** Abandoned, dilapidated, deteriorated, or illegal signs shall be considered a public nuisance and are prohibited by this sign ordinance. The owner of any property upon which any of the following signs are located shall remove the sign upon notice from the Administrative Official:
1. Any abandoned on-premise sign or sign structure, shall be removed not sooner than the first anniversary of the date the business, person, or activity that the sign or sign structure identifies or advertises ceases to operate on the premises on which the sign or sign structure is located, without paying compensation as provided by Subchapter A, Chapter 216 of the Local Government Code.
    - a. If the premises containing the sign or sign structure is leased, removal shall occur not sooner than the second anniversary after the date the most recent tenant ceases to operate on the premises.
    - b. The removal of the sign or sign structure, as described, does not require the appointment of a board as provided under Section 216.004 of the Local Government Code.
    - c. Removal of only a portion of the sign or sign structure may be permitted upon agreement between the owner and the City.
  2. Any illegal, non-conforming sign.
  3. Any legal, non-conforming sign which has been substantially destroyed or dismantled for any purpose other than maintenance operations or for changing letters, symbols or other matters on the sign. The sign shall be deemed to be substantially destroyed or dismantled if

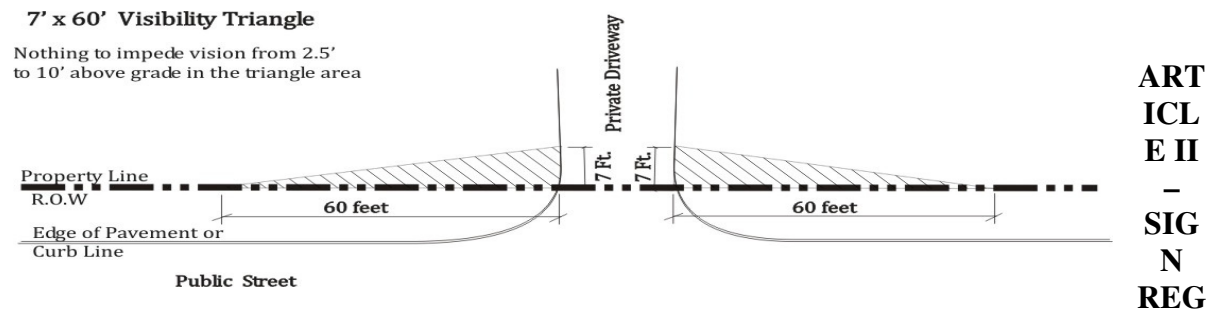
the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location.

4. Repair of or removal of dilapidated or deteriorated signs. Upon determination by the Administrative Official that a sign is in a dilapidated or deteriorated condition, the Administrative Official shall give notice of said determination to the owner of the sign, or the owner of the property on which the sign is erected, and the lessee that the sign is to benefit. Said notice shall further specify a time period in which said dilapidated or deteriorated condition must be corrected. In the event the dilapidated or deteriorated condition is not corrected within the time provided in the notice of the Administrative Official, then the owner of the property on which said sign is erected and the owner of the sign shall immediately remove the sign.
  5. Removal by City: In the event any owner of property on which a sign is situated fails to comply with any order issued by the Administrative Official for removal of a sign under the provisions of this ordinance, then the City may undertake to remove said sign in compliance with the order. The owner of the land on which the sign is situated and the owner of the sign shall pay all costs incurred by the City in the removal of the sign.
- (n) **Relief by the Zoning Board of Adjustment:** Upon receipt of an application for a hearing before the ZBA and payment of a fee, the Zoning Board of Adjustment shall have authority, as assigned to it by the City Council, to provide relief to these sign regulations. In order to prevent or lessen practical difficulties and unnecessary hardship inconsistent with the objectives of this article, the Zoning Board of Adjustment may grant relief from the regulations prescribed herein relating to the height, area, location or number of signs; in such cases, however, the following circumstances shall be found to apply when granting relief:
1. Any relief granted shall be subject to such conditions as will assure that the waiver thereby granted shall not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated; and
  2. Due to special circumstances applicable to the subject property, including size, shape, topography, street frontage, location or surrounding land use, the size or height of the building on which the sign is to be located; the classification of the street or highway on which the sign is located or designed primarily to be viewed from, the strict application of sign regulations is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- (o) **Appeal-Decision of Administrative Official:** All questions of interpretation and enforcement shall be first presented to the Administrative Official and such questions shall be presented to the Zoning Board of Adjustment, only on appeal from the decision of the Administrative Official. Any person aggrieved by any interpretation or by any decision or ruling of the Administrative Official under the Sign Ordinance, shall have the right to make an appeal to the Zoning Board of Adjustment. Notice of appeal shall be in writing and must be filed within 30 days. Such an appeal shall be considered at a Board meeting and shall be subject to the regulations contained herein for Board meetings
- (p) **Zoning Board of Adjustment Appeal Hearing:** Within a period of 30 days from the filing of the appeal, the Zoning Board of Adjustment shall hear the appeal, together with the testimony of all parties concerned, and render a decision thereon within three (3) days thereafter. In hearing such an appeal, the Board shall not have the power to unconditionally waive or set aside the requirements of the sign ordinance, but shall have the power to interpret its provisions, and in case of alternate signage, shall determine whether such alternate signage is in fact equal to the

standards of the sign ordinance, considering adequacy, stability, strength and safety to the public health and welfare.

- (q) **Appeal to District Court:** Any person who may be aggrieved by the decision of the Zoning Board of Adjustment from a public hearing shall have a right of appeal to the District Court within ten (10) days from the date of the Board decision.
- (r) **Precedent of Regulations:** Where the rules and regulations of any other ordinance conflicts with these sign regulations, the regulations contained herein shall prevail and take precedence over any other regulation, including provisions as recorded in any zoning overlay district; however, with the exception of any Planned Unit Development district adopted after the effective day of this sign regulation.

**Section 6-04 to 6-30 reserved.**

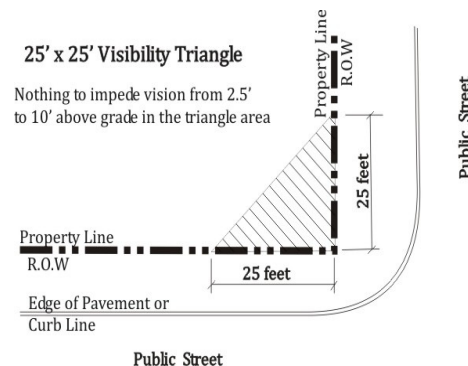


**REGULATIONS**

**Section 6-31. General Regulations**

- (a) **Existing Signs:** Each establishment shall be entitled to sign area within the as set forth herein limitations. However, the area of all existing signs to remain on the premises occupied by the establishment shall be reported by the applicant and shall be added to the proposed new sign(s) for comparison with these limitations, which shall govern total sign area, existing and proposed.
- (b) **Setback Limitation:** There shall be a separation of ten feet between freestanding signs. In addition, no part of any sign shall overhang the property line into the public right-of-way or into the adjacent property.
- (c) **Street Visibility Triangle:** No sign or other advertising structure shall be erected in the 25' by 25' visibility triangle at the intersection of two streets. The street visibility triangle is formed by the property lines and a diagonal line connecting them at points twenty-five feet (25') from the intersection of the property lines. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.

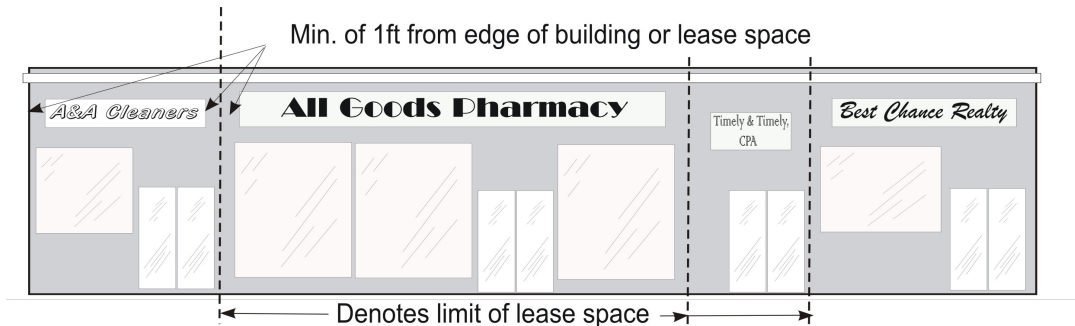
- (d) **Driveway Visibility Triangle:** No sign or other advertising structure shall be erected in the 7' by 60' visibility triangle at the intersection of a driveway with a street. The driveway visibility triangle is formed by the property line, the edge of the driveway and a diagonal line connecting a point seven feet (7')



along the edge of driveway from the right-of-way and a point 60 feet along the right-of-way line from the edge of driveway. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.

- (e) **Traffic hazard:** No sign shall be erected at any location where, by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal device; or which makes use of the words “stop”, “go”, “caution”, “look”, “danger”, or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic. Nor shall any person or individual (hawker) carry a temporary sign adjacent to or in a public right-of-way.
- (f) **Pedestrian hazard:** All signs or other advertising structures, which are erected at any point where pedestrians might be endangered, shall have a smooth surface and no nails, tacks or wires shall be permitted to protrude therefrom.
- (g) **Lighting restrictions:** All signs may be lighted. However, illuminated signs shall be erected in such a manner as not to interfere with traffic or pose other health or safety hazards. Nor shall any stand alone lighted sign be located within fifty feet of a residential dwelling unit. In addition, although signs located inside the store/windows shall be exempt from these regulations, they may not be situated, located, or arranged in such a manner that they present a safety hazard.
- (h) **Wind Pressure and dead load requirements:** All signs shall be designed and constructed to withstand wind pressure of not less than 90 mph wind load factor and shall be constructed to receive loads as required by the Building Code.
- (i) **Site plan:** Whenever a site plan is required to be filed, the site plan shall show the proposed location of any signs to be erected on the property and shall define the size and height of the signs with dimensions and elevation views.
- (j) **Sign Buffer Area at edge of a building:** The edge of a wall sign shall be a minimum distance of one foot from the edge of the building wall or tenant space divider.
- (k) **Wall Sign Setback Bonus:** Wall signs that are setback from the public street right-of-way over one hundred and fifty feet (150') can increase the maximum primary wall signage size by 25%, and increase it an additional 25% for every additional one hundred feet (100') of setback; up to a maximum of 200% of the allowed sign area (i.e. 20% of the primary wall area) at four hundred and fifty feet (450').
  - 1. Over 150' setback, 125% of allowed sign area, or 12.5% of primary wall area,
  - 2. Over 250' setback, 150% of allowed sign area, or 15% of primary wall area,
  - 3. Over 350' setback, 175% of allowed sign area, or 17.5% of primary wall area,
  - 4. Over 450' setback, 200% of allowed sign area, or 20% of primary wall areaNote: The primary wall signage may not exceed 400 square feet regardless of wall area unless permitted by the ZBA.
- (l) **Maintenance:** All signs and support structures, together with all their supports, braces, guys, and anchors, shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. No sign will be allowed to become frayed, discolored or torn.

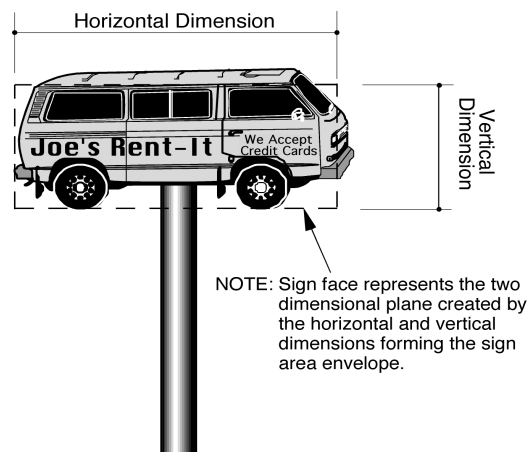
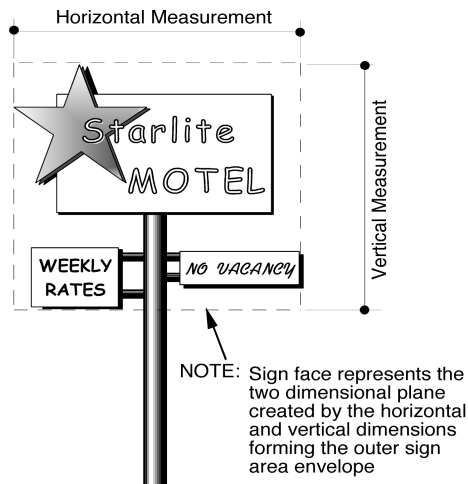
**(m) Sign Area Computation:** The following principles shall control the computation of sign area for signs located within the corporate limits of the City of Mineral Wells. Where a particular configuration, shape, or style of sign is not covered within this regulation the computation of the sign shall be approved by the Administrative Official designated to review and approve sign applications. The configuration of the sign box may be proposed by the applicant but shall be totally at the discretion of the Administrative Official designated to review and approve sign



NOTE: Two sq.ft. of sign area for each one linear foot of lease space frontage

applications. Any appeal to the decision of this representative shall be in accordance with the procedure for appeal as provided herein.

1. **Computation for Detached Signs** - The sign area for a detached on-premise sign shall be the area included within vertical and horizontal line projections (sign box) of the furthestmost points of any logos, letters, or other symbols, composed of the total area of the message, and any border, trim or surface upon which the message is displayed. One sign area will be calculated for a detached sign no matter how the message is displayed, unless otherwise approved by the Administrative Official designated to review and approve sign applications. The sign structure shall not be included in the sign box unless *there* is a sign displayed thereon.
2. **Computation for Attached Signs** - The sign area for an attached on-premise sign shall be the area included within the vertical and horizontal line projection (sign box) of any logos, letters, or other symbols intended to be read together, composed of the total area of the message and any border, trim or surface upon which the message is displayed. There may be several sign boxes on the wall or a building, depending upon how a sign is displayed.



## **Section 6-32. PERMANENT SIGN TYPE STANDARDS**

Permanent signs shall require an application to be submitted, permit to be issued, and fee to be paid prior to construction or installation of the sign.

**(a) Canopy Signs:** are subject to the following restrictions and standards.

1. *Permitted Districts:* Canopy signs are permitted in the LB, GR, C, CBD,BP, LI, HI, WP-A, and CF zoning districts. In addition, all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* The maximum area of a canopy sign is thirty (30) square feet per side.
3. *Maximum Height and Clearance:* The height of the canopy sign is controlled by the height of the canopy. The entire sign must be contained on the canopy.
4. *Number of Signs:* A canopy sign may be placed on a maximum of three sides of the canopy.
5. *Other:* The following additional regulations shall apply to canopy signs.
  - a. For the purpose of the sign ordinance, the canopy is not considered as being separate buildings.
  - b. The maximum size of letters for a canopy sign shall be eighteen (18) inches.

**(b) Changeable Copy Signs:** are subject to the following restrictions and standards.

1. *Permitted Districts:* Changeable copy signs are permitted in the LB, GR, C, CBD,BP, LI, HI, WP-A, and CF zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* The maximum area of a changeable copy sign is twelve (12) square feet per side.
3. *Maximum Height and Clearance:* A changeable copy sign shall not exceed the height or clearance as required of the sign type in which it is incorporated, i.e.: wall sign, pole sign, monument sign, etc..
4. *Number of Signs:* A changeable copy sign shall not exceed the number of signs as required of the sign type in which it is incorporated, i.e.: wall sign, pole sign, monument sign, etc.
5. *Other:* The following additional regulations shall apply to changeable copy signs.
  - a. Two changeable copy signs per wall with a maximum of four signs per site is permitted for signs totally attached to a wall in an enclosed frame.
  - b. The regulations in this section applies only to changeable copy signs that do not have electronic letters, electronic graphic, or videos.

**(c) Electronic Graphic Display Signs and Video Display Signs:** The standards and restrictions for electronic graphic display signs and video display signs shall be determined on a case by case basis upon presentation of an application to the Zoning Board of Adjustment.

1. *Permitted Districts:* Electronic graphic display signs and video display signs are permitted in the LB, GR, C, CBD,BP, LI, HI, WP-A, and CF zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.



2. *Number of Signs:* Only one electronic graphic display sign or video display sign shall be permitted per street frontage.
3. *Other:* The following additional regulations shall apply to electronic graphic display signs or video display sign.
  - a. An electronic graphic display sign or video display sign must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.
  - b. The determination of a health or safety hazard caused by a lighted sign or a message board sign shall be made by the Director of Public Works for the city and shall be controlling.
  - c. Any electrical wiring required for a sign to be lighted shall meet the electrical code of the city as determined by the Building Official or a designated representative.
  - d. No lighted sign or message board sign shall have a luminance of greater than 300 foot-candles, nor shall any such sign have a luminance greater than 200 foot-candles for any portion of the sign within a circle two feet in diameter. The restriction of luminance in this section shall be determined from any other premises or from any public right-of-way.
  - e. All applications for electronic graphic display sign or video display sign which are located adjacent to state or federal highways must be accompanied with a certificate of approval of such sign from the state department of transportation in accordance with state law.
4. *Criteria:* Upon consideration of an electronic graphic display sign or video display sign the Zoning Board of Adjustment shall consider.
  - a. Safety of thoroughfare traffic from distractions or visual conflicts.
  - b. Lighting effects on adjacent residential neighborhoods
  - c. Proximity to intersections and traffic signals
  - d. Scale of sign as compared to signs in the neighborhood or district.

**(d) Message Board Signs:** are subject to the same size and location restrictions as other signs regulated by this article. In addition, a message board sign is subject to the following restrictions:

1. *Permitted Districts:* Message board signs are permitted in the LB, GR, C, CBD,BP, LI, HI, WP-A, and CF zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* The maximum area of a message board sign shall be determined by the sign type in which it is incorporated, i.e.: wall sign, pole sign, monument sign, etc.
3. *Maximum Height and Clearance:* A message board sign shall not exceed the height or clearance as required of the sign type in which it is incorporated, i.e.: wall sign, pole sign, monument sign, etc.
4. *Number of Signs:* A message board sign shall not exceed the number of signs as required of the sign type in which it is incorporated, i.e.: wall sign, pole sign, monument sign, etc.
5. *Other:* The following additional regulations shall apply to message board signs.

- a. Any change of information on the message board sign shall not produce the illusion of moving objects, expanding or contracting shapes, rotation or any similar effect of animation.
- b. Any change of information on the message board sign shall not change more often than once each three (3) seconds for those portions of the sign, which convey time or temperature, or once each five (5) seconds for all other portions of a sign.
- c. All applications for message board signs which are located adjacent to state or federal highways must be accompanied with a certificate of approval of such sign from the state department of transportation in accordance with state law.
- d. The determination of a health or safety hazard caused by a lighted sign or a message board sign shall be made by the Director of Public Works for the city and shall be controlling.
- e. Any electrical wiring required for a sign to be lighted shall meet the electrical code of the city as determined by the Building Official or a designated representative.
- f. No message board sign shall have a luminance of greater than 300 foot-candles, nor shall any such sign have a luminance greater than 200 foot-candles for any portion of the sign within a circle two feet in diameter. The restriction of luminance in this section shall be determined from any other premises or from any public right-of-way.
- g. A message board sign must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.

**(e) Monument Sign:** are subject to the following restrictions and standards.

- 1. *Permitted Districts:* Monument signs are permitted in the LB, GR, C, CBD,BP, LI, HI, WP-A, and CF zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
- 2. *Maximum Area of Sign:* The maximum area of a monument sign shall be seventy-five (75) square feet per side.
- 3. *Maximum Height and Clearance:* A monument sign shall not exceed a height of seven (7) feet, measured from the ground at the highest grade of the ground along the base of the monument sign.
- 4. *Number of Signs:* One (1) monument sign is permitted per street frontage with a maximum of two (2) monument signs permitted for the entire parcel.
- 5. *Other:* The following additional regulations shall apply to monument signs.
  - a. A pole sign may not be located within fifty (50) feet of a monument sign nor shall a monument sign be located fifty (50) feet from a pole sign on the same parcel.
  - b. A residential subdivision or multifamily development may have one monument sign dedicated to identifying the designated subdivision entrance or multifamily complex entrance. Such sign shall meet the requirements provided for monument signs in this ordinance.
  - c. Illumination of all subdivision or multifamily development signs shall be externally provided. No neon or internal illumination is permitted.

**(f) Pole Signs (Pylon Signs):** are subject to the following restrictions and standards.

## *City of Mineral Wells Sign Ordinance*

1. *Permitted Districts:* Pole signs are permitted in the LB, GR, C, BP, LI, HI, WP-A, and CF zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* The maximum area of a pole sign is 200 square feet per sign face when located along a state or federal highway and 120 square feet when located along any thoroughfare not designated as a state or federal highway.

A pole sign serving as a multiple tenant sign (two or more tenants in a shopping center or office complex) shall not have a maximum area requirement. Area is limited by the height and clearance permitted according to this section (*item 3. Maximum Height and Clearance.*) However, the width shall not exceed one-half (1/2) of the height of the sign.

3. *Maximum Height and Clearance:* A pole sign located adjacent to a state or federal highway shall not exceed a height of fifty (50) feet, measured from the ground at the highest grade of the ground adjacent to the pole(s) of the sign. A pole sign not located adjacent to a state or federal highway shall not exceed a height of thirty-five (35) feet, measured from the ground at the highest grade of the ground adjacent to the pole(s) of the sign. There shall be a minimum of twelve (12) feet of clearance from the ground to the bottom of the suspended sign face for all pole signs.
4. *Number of Signs:* One (1) pole sign is permitted per street frontage with a maximum of two (2) pole signs permitted for the entire parcel.
5. *Other:* The following additional regulations shall apply to pole signs.
  - a. A pole sign may not be located within fifty (50) feet of a monument sign nor shall a monument sign be located fifty (50) feet from a pole sign on the same parcel.
  - b. A pole sign must be setback five (5) feet from any property line and may not overhang into the right-of-way or adjacent property.

**(g) Wall Sign, Primary:** are subject to the following restrictions and standards.

1. *Permitted Districts:* Primary wall signs are permitted in the LB, GR, C, CBD, BP, LI, HI, WP-A, and CF zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* The maximum area of a primary wall sign shall be two(2) square feet of sign area for each linear foot of store front width. In a shopping center this includes the frontage of tenant lease space.
3. *Maximum Height and Clearance:* The primary wall sign shall not exceed the top of the parapet wall or roof eave. In addition, the maximum height of any sign shall not exceed six (6) feet.
4. *Number of Signs:* There is no limit on the number of signs, with the exception that the aggregate maximum area of all the signs shall not exceed that which is permitted in item 2, above.
5. *Other:* The minimum horizontal and/or vertical separation between signs shall be two (2) feet. All signs shall set back a minimum of one (1) foot from any side or top edge of a building frontage and one (1) foot from any edge of lease space. See the Bonus Setback regulations in *Section 6-31(k)*, which provides for extra area for primary wall signs.

**(h) Wall Sign, Secondary:** are subject to the following restrictions and standards.

1. *Permitted Districts:* Secondary wall signs are permitted in the LB, GR, C, CBD, BP, LI, HI, WP-A, and CF zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* The maximum area of a secondary wall sign shall be fifty (50) percent of the allowed primary wall sign area.
3. *Maximum Height and Clearance:* The secondary wall sign shall not exceed the top of the parapet wall or roof eave. In addition, the maximum height of any sign shall not exceed six (6) feet.
4. *Number of Signs:* There is no limit on the number of signs, with the exception that the aggregate maximum area of all the signs shall not exceed that which is permitted in item 2, above.
5. *Other:* The minimum horizontal and/or vertical separation between signs shall be two (2) feet. All signs shall set back a minimum of one (1) foot from any side or top edge of a building frontage and one (1) foot from any edge of lease space.

### **Section 6-33. TEMPORARY SIGN TYPE STANDARDS**

Except when specifically provided by this Section, temporary signs shall require an application to be submitted, permit to be issued, and fee to be paid prior to construction or installation of the sign. In instances where an application, permit, or fee are not required, the owner/user of the sign shall meet any requirements or standards contained herein regarding the sign. Failure to meet the requirements will authorize the Administrative Official to remove the sign from the premises and exact any penalty for violation of the sign ordinance as is specified in this ordinance. In addition, temporary signs shall not be used for off premise display of messages, except when used to promote or announce a public service or community event. With the exception of portable signs, religious institutions and charitable organizations are exempt from the Temporary Sign regulations.

(a) **Banner, horizontal:** are subject to the following standards and restrictions.

1. An application, sign permit, and fee is required for this sign.
2. Horizontal banners are permitted in the MF, LB, GR, C, CBD, BP, LI, HI, WP-A, and CF zoning districts. They are also permitted on sites used for non-residential purposes in residentially zoned districts.
3. A horizontal banner may be freestanding or attached to a primary or secondary building.
4. A freestanding horizontal banner may not exceed fifty (50) square feet in area (each side) and may be placed in the front, side, or rear yard of a premise in the zoning districts permitted in Sec. 6-33(a)2. An attached horizontal banner shall not exceed the highest point of a roof when attached to a building.
5. The display of a horizontal banner shall not exceed a total of thirty (30) consecutive calendar days with a minimum of thirty (30) calendar days period between displays.
6. Only one (1) horizontal banner may be displayed per premise. For a multi-tenant commercial complex one (1) horizontal banner may be displayed for each tenant or lease site with a maximum of two (2) horizontal banners being displayed at any one time.
7. Horizontal banners shall not be used in combination with a portable sign.
8. For recurring events (i.e., sales, promotions) not exceeding three consecutive days in duration, or 12 days per calendar month, one horizontal banner not to exceed 50 square

feet in size (each side) may be placed in the front , side, or rear yard of a premise or attached to the primary building. An annual permit shall be obtained at a cost of twenty-five dollars (\$25.) The banner shall be in place only on those days during which the subject event is in progress.

(b) **Banner, vertical:** which are used for a commercial purpose are subject to the following standards and restrictions.

1. An application, sign permit, and fee is required for this sign for each change out of banner.
2. Vertical banners are permitted in the MF, LB, GR, C, CBD, BP, LI, HI, WP-A, and CF zoning districts. They are also permitted on sites used for non-residential purposes in residentially zoned districts.
3. A vertical banner shall not exceed twelve (12) square feet in area nor exceed thirty-five (35) in height. The bottom of a vertical banner shall be a minimum of 6 feet from the ground at the base of the pole on which it is mounted.
4. The minimum spacing between vertical banners shall be twenty-five (25) feet.

(c) **Bench Signs:** are subject to the following standards and restrictions.

1. An application, sign permit, and fee is not required for this sign(s).
2. Bench signs are permitted in the MF, LB, GR, C, CBD, BP ,LI, HI, WP-A, and CF zoning districts. They are also permitted on sites used for non-residential purposes in residentially zoned districts.
3. Message displayed on the seat may not exceed six-teen (16) square feet.
4. Must be located adjacent to a building near the customer entrance and not closer than twenty-five (25) feet from another bench sign.

(d) **Contractor/Construction Signs:** are subject to the following standards and restrictions.

1. An application, sign permit, and fee is required for this sign(s).
2. Contractor/Construction signs are permitted in all zoning districts.
3. Two signs are permitted for each thoroughfare adjacent to the project/site.
4. Each sign shall not exceed an area of seventy-five (75) square feet on each side nor shall they exceed ten (10) feet in height.
5. The sign shall be removed either when the project has received its certificate of occupancy or in the case of a subdivision, ninety (90) percent of the lots are sold. No sign shall be permitted to remain after five (5) years from the original placement of the sign.

(e) **Inflatable Objects (Balloons):** Inflatable objects over twenty-four (24) inches in diameter shall meet the following requirements.

1. Upon meeting the requirements contained herein, no application, sign permit, and/or fee is required for display of an inflatable object..
2. Inflatable Objects are permitted in the MF, LB, GR, C, CBD, BP ,LI, HI, WP-A, and CF zoning districts. They are also permitted on sites used for non-residential purposes in residentially zoned districts.

3. The time duration for placement of an inflatable object shall be for thirty (30) days with a thirty (30) day interval between displays.

**(f) Mobile Electronic Graphic Video Display Sign:** Vehicles or trailers containing permanently attached mobile electronic graphic video display signs are subject to the following standards and restrictions.

1. An application, sign permit, and fee are required for this sign.
2. The maximum viewable area shall not exceed seventy-five (75) square feet.
3. Only one mobile electronic graphic video display sign is permitted per premise.
4. The time duration for placement of a mobile electronic graphic video display sign shall be for a maximum of fourteen days with an time interval of twenty-one (21) days between occasions.
5. A mobile electronic graphic video display sign must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.

**(g) Political and/or Ideological Signs:** This sign regulation does not prohibit a sign to be placed, require a permit or approval of the City, impose a fee for the sign to be placed, restrict the size of a sign, or provide for a charge for the removal of a sign that is greater than the charge for removal of other signs regulated by this ordinance for any sign that contains primarily a political and/or ideological message and that is located on private property with the consent of the property owner. However, no political and/or ideological sign shall exceed the following criteria.

1. No permit application, permit or fee is required for this sign.
2. Political and/or ideological signs are permitted in all zoning districts.
3. The sign shall not exceed an effective area greater than 36 feet.
4. The sign shall not be higher than eight feet.
5. The sign shall not be illuminated nor have any moving elements.
6. In addition, this item, **(g) Political and/or Ideological Signs**, does not apply to a sign, including a billboard, that contains primarily a political and/or ideological message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political and/or ideological.

**(h) Portable Signs:** Determination by the Administrative Official or his/her designated representative as to whether any sign is portable or moveable shall be controlling. With the exception of the MF-Multifamily zoning district, it is expressly provided that such signs are prohibited in any residential zoning district or within any right-of-way or city easement within the city. The following additional provisions shall apply to portable or moveable signs:

1. An application, sign permit, and fee are required for this sign.
2. Portable signs are permitted in the MF, LB, GR, C, CBD, BP ,LI, HI, WP-A, and CF zoning districts. They are also permitted on sites used for non-residential purposes in residentially zoned districts.
3. Only one such sign for each tenant on a multi-use lot or per business on a single use lot shall be permitted for display at one time.



4. Signs on a multi-tenant lot shall be separated by a minimum of seventy-five (75) feet.
5. A portable sign shall be permitted on-premises only and shall not exceed a total area of 50 square feet or exceed six (6) feet in height.
6. No such sign shall be illuminated.
7. A portable sign may be displayed for 10 consecutive days in any 30-day period and shall be related to a specific activity or topic. The total days displayed on a given site shall not exceed 120 days per calendar year.
8. Written permission from the property owner or management regarding number of days allocated for "lot" is required.

*(i) **Sandwich Board Signs:** are subject to the following standards and restrictions.*

1. An application, sign permit, and fee is not required for this sign(s).
2. Sandwich board signs are permitted in the CBD and Heritage Overlay zoning districts.
3. Sandwich board signs shall not exceed nine (9) square feet on each side nor five (5) feet in total height.
4. Only one sandwich board sign is permitted per parcel.
5. Any sign placed in public right-of-way must provide three (3) feet of walking space and must be removed daily.

*(j) **Swooper Flags:** are subject to the following standards and restrictions.*

1. An application, sign permit, and fee is required for this sign(s).
2. Swooper flags are permitted in the MF, LB, GR, C, CBD, BP ,LI, HI, WP-A, and CF zoning districts. They are also permitted on sites used for non-residential purposes in residentially zoned districts..
3. Swooper flags shall not exceed seventeen (17) feet in height or three (3) feet in width.
4. Swooper flags shall be located no closer than fifteen (15) feet from another swooper flag or freestanding detached sign.
5. With the exception of the CBD, swooper flags shall not be located in a public right-of-way or extend into a public right-of-way when moved by the wind.
6. In a multi-tenant complex (more than three lease spaces) swooper flags shall be limited to two (2) flags per tenant or lease space. In a single user parcel the number of swooper flags shall be determined by the possible spacing as listed in item (4).
7. Swooper flags shall not interfere with or restrict pedestrian walkways.
8. Swooper flags which cause a traffic conflict or are distracting to moving vehicles may be removed by the City at the discretion of the Administrative Official,

*(k) **Weekend Builders Advertising Signs:** are subject to the following standards and restrictions.*

1. An application, sign permit, and fee are required for this sign(s).
2. Weekend builders advertising signs are permitted in all zoning districts.
3. Each sign shall not exceed an area of six (6) feet on each side nor shall they be more than three (3) feet in height.

4. Each sign permit shall allow a total of 25 signs. A separate sign permit may be acquired if more signs are required.
5. Signs may be located in the public right-of-way, with the permission of the adjacent property owner. Signs shall be located a minimum of three (3) feet from the back of curb, forty (40) feet from an intersection, and with a minimum spacing of fifteen (15) feet between signs.
6. Signs may be placed no earlier than 12:00-noon on Friday and must be removed by 12:00-noon on the following Monday, except on holidays when the next day shall be designated for removal.
7. Signs may not be illuminated.

#### **Section 6-34. EXEMPTED SIGNS AND ACTIONS**

The following types of signs are exempted from the sign regulations. These signs are not required to submit a sign application, are not required to be permitted and not required to pay a permit or review fee.

- (a) Address numbers and other signs required to be maintained by law, rule or regulation.
- (b) Banners and streamers which are used for a single event such as “welcome home,” “new baby,” “happy birthday,” etc. or school spirit signs. Banners and streamers used for such occasions shall be removed after two (2) days.
- (c) Banners, vertical, when used for a public purpose and attached to public poles in the right-of-way or on publicly owned property.
- (d) Inflatable objects less than 24 inches in diameter
- (e) Directional signs less than four (4) square feet in area and less than three (3) feet in height.
- (f) Directory sign
- (g) Gasoline pricing signs less than fifteen (15) square feet.
- (h) Incidental Sign
- (i) Menu board signs for drive-thru lanes at nonresidential establishments.
- (j) Murals
- (k) Nameplate sign not exceeding two square feet
- (l) Patriotic Flags
- (m) Painted Wall Sign when the message is associated with the on-premise business.
- (n) Real Estate signs (including open house signs) located in the SFE, SF9, SF6, and MD zoning districts and on the premises to which the sign applies and not exceeding eight (8) square feet in area, which advertises the sale, rental or lease of the premise shall be exempt. Real estate signs (one per premise and not exceeding fifty [50] square feet in area) located in the MF, LB, GR, C, CBD, BP, LI, HI, WPA, and CF zoning districts and on the premises shall be exempt. The sign shall be removed upon the completion of the sale or lease of the premises.
- (o) Scoreboards in athletic fields or stadiums
- (p) Window signs as defined in *Section 6-02*

- (q) Standard maintenance, painting, repainting or cleaning of an advertising structure or message thereon for an ongoing entity for which no structural changes are required. Painting, repainting or cleaning of an existing advertising structure or message for a new business is not included in this exception. Lighted signs are not included in this exception except for theater marquees and similar signs that are specifically designed for the use of replaceable copy.
- (r) Signs that are permitted through the Zoning Board of Adjustment
- (s) Decorative displays for holidays or public demonstrations which do not promote or identify any person, goods and services supplied by a person, or display a commercial message.
- (t) Traffic control or other municipal signs, legal notices, railroad crossing signs, danger/emergency signs, and other temporary or nonadvertising signs as may be determined by the Administrative Official.
- (u) A protective sign that has as its purpose the protection of life and/or property, as may be determined by the Administrative Official.
- (v) A sign or marker giving information about the location of underground electrical transmission lines, telegraph/telecommunications lines or cables, pipelines, water or sewer lines, or other public/private utility line/structure.
- (w) A sign erected by city, State or Federal agencies, or by political subdivisions of the State (except lottery signs).

#### **Section 6-35. PROHIBITED SIGNS**

Unless specifically permitted by the Zoning Board of Adjustment, the following signs are prohibited. In the event the Zoning Board of Adjustment permits the following signs, the sign standards and restrictions as provided in *Sections 6-32 and 6-33*, shall apply. When permitting a prohibited sign, the Zoning Board of Adjustment shall indicate the duration of the permit and any special conditions attached to the permitted sign.

- (a) Off-Premises advertising signs (includes billboards)
- (b) Hawkers
- (c) Projecting signs (signs projecting more than twelve (12) inches from the wall to which it is attached).
- (d) Roof signs, however, signs are allowed on building towers or other architectural features of the building, not including inflatable objects.
- (e) Search lights or flashing lights (other than Message Board signs).
- (f) Signs on utility poles (Bandit signs)
- (g) Vehicular Signs (Not electronic display signs): Except where otherwise provided in this ordinance.
- (h) Pole signs located in the CBD, unless permitted by the ZBA